



DuPont Legal

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FAX COVER PAGE

December 6, 2006

Please Deliver to: Tamala D. Holland
USPTO
571-270-9911

From: Thomas W. Gorman, Reg. No. 31,959
Fax : (302) 992-5374
Phone: (302) 892-1543
Pages: 10
Re: **U.S. Application No. 10/550,423**
PCT/CA04/00441
DC8507 US PCT1

In response to the Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (copy attached), enclosed are the following:

- Transmittal Letter to the U.S. Designated/Elected Office Concerning A Submission Under 35 USC 371
- Declaration and Power of Attorney executed by the Inventors
- Copy of Return Receipt Postcard stamped 24 OCT 2005

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

PETER ANDRIN ET AL.

CASE NO.: DC8507USPCT1

APPLICATION NO.: 10/550,423

CONFIRMATION NO.: 3310

GROUP ART UNIT: UNKNOWN

EXAMINER: UNKKNOWN

FILED: MARCH 24, 2004

FOR: PROCESS FOR JOINING A GAS DIFFUSION LAYER TO A SEPARATOR PLATE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

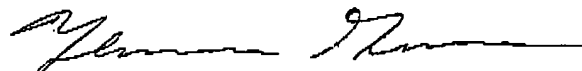
Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed November 20, 2006 (a copy of which is attached), enclosed are the following items:

- Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US) Concerning A Submission Under 35 U.S.C 371;
- Declaration of the inventors, identifying the application by the International application number and International Filing date; and
- Copy of Return Receipt Postcard stamped by the Office on 24 OCT 2005.

Should any fee be required in connection with the filing of the Missing Requirements, please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



THOMAS W. GORMAN
ATTORNEY FOR APPLICANTS
Registration No.: 31,959
Telephone: (302) 892-1543
Facsimile: (302) 992-5374

Dated: 12-6-06



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Declaration

U.S. APPLICATION NUMBER NO.

10/550,423

FIRST NAMED APPLICANT

Peter Andrin

ATTY. DOCKET NO.

DC8507 US PCT 1

INTERNATIONAL APPLICATION NO.

PCT/CA04/00441

I.A. FILING DATE

03/24/2004

PRIORITY DATE

03/25/2003

RECEIVED

NOV 28 2006

PATENT RECORDS

ENTERED

CR

CONFIRMATION NO. 3310

371 FORMALITIES LETTER

OC000000021285014*

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Thomas W Gorman
E I Du Pont De Nemours and Company
Legal Patent Records Center
4417 Lancaster Pike
Wilmington, DE 19805

Date Mailed: 11/20/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/21/2005
- Copy of the International Search Report filed on 09/21/2005
- Copy of IPE Report filed on 09/21/2005
- Preliminary Amendments filed on 09/21/2005
- Information Disclosure Statements filed on 09/18/2005
- Request for Immediate Examination filed on 09/21/2005
- U.S. Basic National Fees filed on 09/21/2005
- Priority Documents filed on 09/21/2005
- Specification filed on 09/21/2005
- Claims filed on 09/21/2005
- Abstracts filed on 09/21/2005
- Drawings filed on 09/21/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.138(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO. 10/550,423	INTERNATIONAL APPLICATION NO. PCT/CA04/00441	ATTY. DOCKET NO. DC8507 US PCT 1
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FORM PCT/DO/EO/905 (371 Formalities Notice)

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PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER DC8507 US PCT1
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 60/457280
INTERNATIONAL APPLICATION NO. PCT/CA04/000437	INTERNATIONAL FILING DATE 24 March 2004 (24.03.04)	PRIORITY DATE CLAIMED 25 March 2003 (25.03.03)
TITLE OF INVENTION PROCESS FOR JOINING A GAS DIFFUSION LAYER TO A SEPARATOR PLATE		
APPLICANT(S) FOR DO/EO/US ANDRIN, Peter Et. Al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).		

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PTO-1380 (Rev. 07-2005)

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 60/457280		INTERNATIONAL APPLICATION NO. PCT/CA04/000437		ATTORNEY'S DOCKET NUMBER DC8507 US PCT1	
20. <input checked="" type="checkbox"/> Other items or information: Express Label: EU916066534US					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$	0.00
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 <input type="radio"/> All other situations..... \$200 <input type="radio"/>				\$	0.00
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 <input type="radio"/> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 <input type="radio"/> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 <input type="radio"/> All other situations..... \$500 <input type="radio"/>				\$	0.00
TOTAL OF 21, 22 and 23 =					0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	0.00
<input type="checkbox"/> Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	0.00
Independent claims	- 3 =		x \$200	\$	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable) YES <input type="checkbox"/>			+ \$360	\$	0.00
TOTAL OF ABOVE CALCULATIONS =				\$	0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					0.00
SUBTOTAL =				\$	0.00
<input type="checkbox"/> Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	0.00
TOTAL NATIONAL FEE =				\$	0.00
<input type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	0.00
TOTAL FEES ENCLOSED =				\$	0.00
				Amount to be refunded:	\$
				Amount to be charged	\$

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PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0851-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 04-1928 in the amount of \$ 0.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1928. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

GORMAN, Thomas W.
E. I. DU PONT DE NEMOURS AND COMPANY
Legal Patent Records Center
4417 Lancaster Pike
Wilmington, Delaware 19805
United States of America


SIGNATURE

GORMAN, THOMAS W.

NAME

31,959

REGISTRATION NUMBER

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Express Label: EU916066534US

Case No. DC8507 US PCT1

Transmittal Letter to USPTP with Declaration

Other:

Attorney: T. Gorman

JCO4 Rec'd PCT/PTO 24 OCT 2005

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